

ORIGINAL

Donna Mae Amina
Melvin Keakaku Amina
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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 28 2012

at 3 o'clock and 59 min. P.M.
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MELVIN KEAKAKU AMINA AND DONNA
MAE AMINA, HUSBAND AND WIFE,

Plaintiffs,

vs.

THE BANK OF NEW YORK MELLON, FKA
THE BANK OF NEW YORK;

Defendants.

Case No. 11-00714 JMS-BMK

MOTION FOR LEAVE TO FILE

SECOND AMENDED COMPLAINT

CERTIFICATION

We, the undersigned plaintiffs, certify that we have conferred with counsel for the
Defendants, Jeffrey H. K. Sia, and he () will oppose () will not oppose (X) has not
returned our call.

MOTION

Plaintiffs Donna Mae Amina and Melvin Keakaku Amina move for leave to file their VERIFIED SECOND AMENDED COMPLAINT (attached as Exhibit A).

The amendment is based on new information. Attorney for Creditor U.S. Bank National Association, as Trustee for J.P. Morgan Mortgage Acquisition Trust 2006-WMC2, Asset Backed Pass-Through Certificates, Series 2006-WMC2 filed a Proof of Claim [4-1] in the Bankruptcy Case #12-00079 of Melvin Keakaku Amina, thus claiming an interest in the Homestead. US Bank now claims two loans "7306" and "7314" encumbering the Homestead. Bank of New York Mellon (BONYM) still claims loan "7306", however BONYM has not filed a Proof of Claim.

Defendants will not be prejudiced. See FRCP 15(a)(2): "The court should freely give leave when justice so requires."

Finally, Plaintiffs are not attorneys and are inexperienced in procedure as practiced in the Federal Courts. If this submission is found wanting in one or more particulars, it is incumbent upon the Court to inform Plaintiffs of the deficiencies, their specifics and assist the Plaintiffs in correcting the submission, and the Plaintiffs hereby respectfully request such assistance.

Executed on: September 28, 2012



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Melvin Amina, Plaintiff Pro Se
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CERTIFICATE OF SERVICE

On the date last written below, I served a true copy of the foregoing document upon the following parties in this action by First Class U. S. mail postage prepaid:

Defendants
MERSCORP, INC.
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
CHASE HOME FINANCE LLC
CHASE HOME FINANCE, INC.
c/o Jeffrey H. K. Sia
c/o David A. Gruebner
c/o Diane W. Wong
Ayabe, Chong, Nishimoto, Sia & Nakamura, A Limited Liability Partnership
1003 Bishop Street, Suite 2500
Honolulu, HI 96813

Executed on: September 28, 2012

Hauwaimale P. Amiao
(signed by person mailing)